FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

WRIT PETITION No. 6088/2006
(Maroti Dukroji Mandpe Vs. Bahuddeshiya Dnyana Vikas Sanstha & ors.)

Appeal Application No. Writ petition	District : of 200

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Smt. M.S. Jawalkar, Adv. for petitioner.
Mr. A.D. Sonak, A.G.P. for R- 3 to 5.

CORAM :D.D. SINHA &
SMT. VASANTI A. NAIK, JJ.
DATED : DECEMBER 5, 2007.

Mrs. Jawalkar, counsel for the petitioner, states that so far as prayer clause (i) is concerned, the petitioner seeks permission to delete the said prayer clause.

Permission granted. Necessary action for deleting the prayer clause (i) be taken forthwith.

So far as prayer clause no. (ii) is concerned, since the same pertains to the cause of action which arose in the year 1993, the petition suffers from delay and laches. The remedy which was neither available nor permissible cannot be a ground to condone the delay which is unreasonable and, therefore, there is no

cause made out for showing indulgence.

Consequently, the petition fails on the ground of delay and laches. Hence, petition is dismissed with no order as to costs.

JUDGE **JUDGE**

RMP